

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

\* \* \* \* \*

Felicia M. Desimini )

Plaintiff )

v. )

John F. Durkin, Jr. )

and )

Wilson, Bush, Durkin & )

Keefe, PC )

Defendants )

\* \* \* \* \*

Civil Action No. 1:14-cv-00112-JD  
DEMAND FOR JURY TRIAL

**DEFENDANTS' MOTION TO ALLOW ADJUSTER  
TO PARTICIPATE IN MEDIATION BY TELEPHONE**

1. The Court has scheduled mediation to take place on January 5, 2017 at 9 am. The mediation has been scheduled to accommodate Ms. Desimini's teaching schedule and the defendant has cooperated in that effort.
2. Attorney Durkin and counsel will attend the mediation, however, the adjustor, Sylvia Conlin, resides in New Jersey and consequently, would request permission to participate by telephone. She will be online during the entire mediation should the Court require.
3. If Ms. Conlin is required to attend, she will need to schedule flights arriving the morning of the mediation and departing that afternoon or evening after the mediation is concluded. This will potentially reduce the time available for mediation.

4. Unlike Ms. Desimini, who is a party and who filed suit in New Hampshire, Ms.

Conlin is not a party so that compelling her to travel to New Hampshire from out of state is not similar to requiring Ms. Desimini to attend the mediation.

5. Mr. Durkin assents to this motion. Ms. Desimini does not assent to this motion.

Wherefore, the defendants respectfully request that the Court grant permission to have Ms. Conlin participate in mediation by telephone and such other relief as is just.

Respectfully submitted,

**John F. Durkin, Jr. and  
Wilson, Bush, Durkin & Keefe, PC**

By their Attorneys,

**Wadleigh, Starr & Peters, PLLC**

Date: September 28, 2016

/s/ Jeffrey H. Karlin

Jeffrey H. Karlin #1311  
95 Market Street  
Manchester, NH 03101  
(603) 669-4140

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the plaintiff by electronically serving her.

/s/ Jeffrey H. Karlin

Jeffrey H. Karlin